

THOMAS E. MOSS
UNITED STATES ATTORNEY
RAFAEL M. GONZALEZ, JR.
ASSISTANT UNITED STATES ATTORNEY
DISTRICT OF IDAHO
WELLS FARGO BANK CENTER
877 WEST MAIN STREET, SUITE 201
BOISE, IDAHO 83702
TELEPHONE (208) 334-1211

U.S. Courts
Rec'd _____ Filed _____

JUN 16 2003

Cameron S. Burke
Clerk, Idaho

MAILING ADDRESS:
BOX 32
BOISE, IDAHO 83707

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

VICTOR MANUEL CASTILLO-DUARTE,
aka "WILLIE,"

Defendant.

Case No. CR 03-109-S-BLW

MOTION FOR DETENTION

COMES NOW the United States, by and through Thomas E. Moss, United States Attorney for the District of Idaho, and Rafael M. Gonzalez, Jr., Assistant United States Attorney for the District of Idaho, and moves the Court, pursuant to 18 U.S.C. §§ 3142(a)(4) and 3142(e), for an order directing that a hearing be held for the purpose of holding defendant **VICTOR MANUEL CASTILLO-DUARTE, aka "WILLIE,"** without bail prior to trial.

(M) Pursuant to Title 18 U.S.C. § 3142(f), the United States asks for a continuance of

2 days from the date of the defendant's first appearance before a judicial officer. The

continuance is requested in order for an Assistant United States Attorney to prepare for the Detention Hearing, and arrange for witnesses;

The prosecution will introduce evidence as follows pursuant to the specific sections of Title 18, U.S.C., as indicated:

() § 3142(f)(1)(A) - a crime of violence;

() § 3142(f)(1)(B) - an offense for which the maximum sentence is life imprisonment or death;

(X) § 3142(f)(1)(C) - an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (21 U.S.C. § 801, et seq.), the Controlled Substances Import and Export Act (21 U.S.C. § 951, et seq.), or Section 1 of the Act of September 15, 1980 (21 U.S.C. § 955a);

() § 3142(f)(1)(D) - any felony committed after the person had been convicted of two or more prior offenses described in § 3142(f)(1)(A) through (C), or two or more State or local offenses that would have been offenses described in § 3142(f)(1)(A) through (C) if a circumstance giving rise to Federal jurisdiction had existed;

(X) § 3142(f)(2)(A) - a serious risk that the person will flee;

(X) § 3142(f)(2)(B) - a serious risk that the person will:

() obstruct or attempt to obstruct justice, or

() threaten, injure, or intimidate, or attempt to threaten, injure, or intimidate a prospective witness or juror; or

(X) otherwise pose a danger to any other person or the community.

DATED this 16th day of June, 2003.

THOMAS E. MOSS
United States Attorney

By: 

RAFAEL M. GONZALEZ, JR.
Assistant United States Attorney

rmg\detention.vmc.d.wpd